

Singapore Treaty on the Law of Trademarks (STLT)

Assembly

Third (2nd Ordinary) Session
Geneva, September 26 to October 5, 2011

ASSISTANCE FOR THE IMPLEMENTATION OF THE SINGAPORE TREATY ON THE LAW OF TRADEMARKS

Document prepared by the International Bureau

I. INTRODUCTION

1. In its Resolution Supplementary to the Singapore Treaty on the Law of Trademarks (hereinafter referred to as “the Singapore Treaty”), the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, held in Singapore in March 2006, requested the Assembly of the Singapore Treaty to monitor and evaluate, at every ordinary session, the progress of the assistance related to implementation efforts and the benefits resulting from such implementation (paragraph 8 of the Resolution Supplementary to the Singapore Treaty, adopted by the Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, Singapore, March 13 to 27, 2006).

2. At its first ordinary session, held in Geneva, from September 22 to October 1, 2009, the Assembly of the Singapore Treaty agreed that Contracting Parties would communicate to the International Bureau any information on technical assistance activities related to the implementation of the Singapore Treaty and that the International Bureau would compile the information received and present it, together with all relevant information from its own technical assistance activities, to the next ordinary session of the Singapore Treaty Assembly (document STLT/A/1/2, paragraph 4, and document STLT/A/1/4 paragraph 10).

3. As agreed at the first ordinary session of the Assembly of the Singapore Treaty, the International Bureau has compiled all relevant information from its technical assistance activities. The information is presented in two broad categories, namely, assistance in establishing the legal framework for the implementation of the Treaty, and activities relating to information, education, awareness raising and assistance in revising administrative practices and procedures. In addition, on June 1, 2011, the International Bureau received a communication from the Delegation of Australia transmitting information on the organization of an Advanced Workshop on the Examination of Traditional and Non-Traditional Marks, held in Canberra, Australia, from October 19 to 23, 2009. Details pertaining to that activity are contained in paragraph 5, hereunder.

II. ASSISTANCE IN ESTABLISHING THE LEGAL FRAMEWORK FOR THE IMPLEMENTATION OF THE TREATY

4. Activities are presented in the alphabetical order of the name in English of the receiving State. Legal advice and comments were provided to all requesting States, independently of whether or not they were in the process of acceding to or ratifying the Singapore Treaty.

- Chile: Legal advisory mission, December 9 and 10, 2010
- Costa Rica: Legal advisory mission, November 22 to 24, 2010
- Honduras: Legal advisory mission, November 15 and 16, 2010
- Iraq: Comments provided on Draft Intellectual Property Law, December 6, 2010
- Liberia: Comments provided on Draft Industrial Property Law, March 22, 2010
- Mauritius: Legal advisory mission, May 31 to June 2, 2010
- Morocco: Legal advisory mission, May 9 and 10, 2011
- Nicaragua: Legal advisory mission, November 18 and 19, 2010
- Peru: Legal advisory mission, November 3 to 6, 2009
- Uruguay: Legal advisory mission, August 17 to 19, 2010

III. ACTIVITIES RELATING TO INFORMATION, EDUCATION, AWARENESS RAISING AND ASSISTANCE IN REVISING ADMINISTRATIVE PRACTICES AND PROCEDURES

5. Information under this item is presented chronologically, according to the date of the activity.

- On October 6 and 7, 2009, a *Regional Workshop on the Singapore Treaty on the Law of Trademarks*, took place in Kishinev, Republic of Moldova. WIPO and the State Agency on Intellectual Property of the Republic of Moldova (AGEPI) organized this activity, which was attended by government officials of the following countries: Armenia, Azerbaijan, Belarus, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Romania, Tajikistan, Turkey, Ukraine and Uzbekistan.
- From October 19 to 23, 2009, an *Advanced Workshop on the Examination of Non-Traditional Trade Marks* took place at IP Australia in Canberra. WIPO and IP Australia organized the Workshop as part of the WIPO-IP Australia Work Plan for 2009. The Workshop involved senior trademark officials from the following IP Offices in the Asia-Pacific Region: Brunei Darussalam, Cambodia, China, India,

Indonesia, Japan, Lao People's Democratic Republic, Malaysia, Mongolia, New Zealand, Pakistan, Papua New Guinea, Philippines, Republic of Korea, Singapore, Sri Lanka, Thailand and Viet Nam. A speaker from the Danish Patent and Trademark Office (DKPTO) was invited to share *inter alia* the experience of the DKPTO with the implementation of the Singapore Treaty.

- On November 4 and 5, 2009, a *Regional Workshop on the Trademark Law Treaty (TLT) and the Singapore Treaty on the Law of Trademarks* took place in Lima, Peru. WIPO, the National Institute for the Defense of Competition and the Protection of Intellectual Property (INDECOPI) and the American Chamber of Commerce (AMCHAM) of Peru organized this activity, which was attended by senior trademark officials from the following countries: Chile, Costa Rica, Cuba, Dominican Republic, El Salvador, Honduras, Nicaragua, Mexico and Uruguay. A speaker from the Spanish Patent and Trademark Office (OEPM) was invited to share the experience of the OEPM with the implementation of both the TLT and the Singapore Treaty.
- On March 16 and 17, 2010, a *Training Workshop on Trademark Examination* took place in Alger, Algeria. WIPO and the National Industrial Property Institute of Algeria (INAPI) organized this Workshop, which was attended by 20 INAPI trademark examiners and included specific items on implementation of the TLT and the Singapore Treaty.
- On April 30, 2010, two senior officials from the Industrial Property Office of Colombia visited the WIPO Headquarters and held working sessions with WIPO staff to discuss issues related to implementation of the TLT and the Singapore Treaty. The working sessions dealt with changes in administrative procedures and practices which may be envisaged for Colombia's accession to the TLT and future convergence with the Singapore Treaty.
- On July 26 and 27, 2010, a *Policy Dialogue on Emerging Issues in the Field of Trademarks* took place in Singapore. WIPO and the Intellectual Property Office of Singapore (IPOS) organized this meeting, which was attended by government officials from: India, Indonesia, Philippines, Sri Lanka and Thailand. The Singapore Treaty featured prominently in the program of the Policy Dialogue. The meeting received support through resource persons from IP Australia and the United States Patent and Trademark Office (USPTO).
- On August 9, 2010, the Secretariat met with the Inter Ministerial Group on Intellectual Property (GIPI) in Brasilia, Brazil, to address a number of questions relating to legal and administrative issues which may arise in a future accession of Brazil to the Singapore Treaty. The meeting was followed by working sessions, on August 10 and 11, 2010, at the National Industrial Property Institute (INPI) in Rio de Janeiro, with staff of the Trademarks Directorate, the International Cooperation Coordination and the Directorate of Technology Transfer, who formed part of the "Observatory of Trademarks International Treaties and Conventions", and had undertaken a study of, *inter alia*, the Singapore Treaty.
- On December 16 and 17, 2010, a *Policy Dialogue on Recent Developments in Trademark Law* took place in Casablanca, Morocco. WIPO and the Moroccan Industrial and Commercial Property Office (OMPIC) organized this meeting, which was attended by government officials from: Côte d'Ivoire, Ethiopia, Ghana, Kenya, Mali, Mozambique, Nigeria, Senegal, Sudan and Tunisia. Representatives from the African Regional Intellectual Property Organization (ARIPO) and the African

Intellectual Property Organization (OAPI) participated in the meeting. A speaker from the Danish Patent and Trademark Office (DKPTO) was invited to share *inter alia* the experience of the DKPTO with the implementation of the Singapore Treaty. Additional support was provided by the International Trademark Association (INTA), which designated a resource person for that meeting.

- On March 15, 2011, a *WIPO National Seminar on the Singapore Treaty on the Law of Trademarks* took place in Kyiv, Ukraine. WIPO and the State Department of Intellectual Property of Ukraine (SDIPU) organized this meeting which was attended by eighty local participants, including trademark attorneys, legal experts and examiners. Two speakers from the United Kingdom Patent and Trademark Office (UKPTO) were invited to share their views on, *inter alia*, the future implementation of the Singapore Treaty in the United Kingdom.
- On April 11 and 12, 2011, a *Sub-regional Workshop on the Trademark Law Treaty and the Singapore Treaty on the Law of Trademarks* took place in Panama City. WIPO and the Ministry of Industry and Trade of Panama, through the Directorate General of the Industrial Property Registry (DIGERPI) organized this activity, which was attended by government officials from: Brazil, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Peru. A speaker from the Spanish Patent and Trademark Office (OEPM) was invited to share the experience of the OEPM with the implementation of both the TLT and the Singapore Treaty.

6. A list of Contracting Parties to the Singapore Treaty, as of April 15, 2011, is contained in the Annex to this document.

7. The Assembly is invited to take note of the contents of this document.

[Annex follows]

Singapore Treaty on the Law of Trademarks
(Singapore 2006)
Status on April 15, 2011

State	Date on which State became party to the Singapore Treaty on the Law of Trademarks
Australia.....	March 16, 2009
Bulgaria ¹	March 16, 2009
Croatia.....	April 13, 2011
Denmark ²	March 16, 2009
Estonia.....	August 14, 2009
France.....	November 28, 2009
Italy.....	September 21, 2010
Kyrgyzstan.....	March 16, 2009
Latvia.....	March 16, 2009
Liechtenstein.....	March 3, 2010
Mali.....	Not yet in force ³
Mongolia.....	March 3, 2011
Netherlands ⁴	Not yet in force ⁵
Poland.....	July 2, 2009
Republic of Moldova.....	March 16, 2009
Romania.....	March 16, 2009
Russian Federation.....	December 18, 2009
Serbia.....	November 19, 2010
Singapore.....	March 16, 2009
Slovakia.....	May 16, 2010
Spain ¹	May 18, 2009
Switzerland.....	March 16, 2009
The former Yugoslav Republic of Macedonia.....	October 6, 2010
Ukraine.....	May 24, 2010
United States of America.....	March 16, 2009

(Total: 24 States)

¹ With the declaration provided for in Article 29(4).

² Not applicable to the Faroe Islands nor to Greenland.

³ This State will become bound by the Treaty three months after the deposit of the instrument of accession of the African Intellectual Property Organization (OAPI).

⁴ Accession for the Kingdom in Europe and the Netherlands Antilles. The Netherlands Antilles ceased to exist on October 10, 2010. As from that date, the Treaty continues to apply to Curaçao and Sint Maarten. The Treaty also continues to apply to the islands of Bonaire, Sint Eustatius and Saba which, with effect from October 10, 2010, have become part of the territory of the Kingdom of the Netherlands in Europe.

⁵ The Treaty entered into force with respect to the Netherlands Antilles, on January 2, 2010. The said Treaty will enter into force, with respect of the Kingdom in Europe, at a later date in accordance with Articles 26 and 28 of the Treaty.